

DATE E-FILED: January 26, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lydiate et al.

Application No.: 10/678,490

Filed: October 3, 2003

Title: REPRESSOR-MEDIATED
SELECTION STRATEGIES

Examiner: Li Zheng

TC/A.U.: 1638

Confirmation No. 8191

Attorney Docket No. 11089.0003.NPUS01

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT AND RESPONSE

Dear Sir or Madam:

This is in response to the Office Action dated July 24, 2008, and is submitted on or before the extended due date of January 24, 2009 (a Saturday). A constructive Petition under 1.136(a)(3) for a three-month extension of time and the requisite fee of \$1,110.00 under 1.17(a)(3) are enclosed herewith. The Examiner is requested to enter the amendments and reconsider the application.

The U.S. Patent and Trademark Office is hereby authorized to charge the three-month extension fee and any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing Attorney Docket No. **11089.0003.NPUS01**.

Please amend the application as follows:

Amendments to the claims begin on page 2 of this paper; and

Remarks begin on page 5 of this paper.